

TWENTY-SIXTH DAY

(Wednesday, March 4, 1953)

The Senate met at 10:30 o'clock a. m. pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

A quorum was announced present.

The invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, we are like little children walking wilfully and ignorantly in the dark; forgetting that it is in thee we live, move, and have our being. We pray that thou wilt make us conscious of thy presence, power, and the peace that passeth all understanding; and without thee we can do nothing. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Moore submitted the following reports:

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Bell submitted the following reports:

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 6, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman.

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 3, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman.

Senator Ashley submitted the following report:

Austin, Texas,
March 3, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 65, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, as amended, but that Committee Substitute therefor do pass and be printed.

ASHLEY, Chairman.

C. S. S. B. No. 65 was read the first time.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senators Martin and Lock:

S. B. No. 191, A bill to be entitled "An Act amending Section 2 of Article V of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended by Senate Bill 90, Chapter 198, Acts of the 52nd Legislature, Regular Session, 1951, so as to authorize the State Board of Control to make contracts for the purchase of school buses, bus bodies and chassis, separate and apart from the School Bus Revolving Fund; providing such purchases may be made on estimates needed; providing method for such purchases; making appropriation for the School Bus Revolving Fund; repealing all laws in conflict; and declaring an emergency."

To the Committee on Finance.

By Senator Kazen:

S. B. No. 192, A bill to be entitled "An Act amending Sections 104, 105 and 131 of Senate Bill 172, Acts of the 50th Legislature, Chapter 421, Page 967, being also known as Sections 104, 105 and 131 of Article 6701d of Vernon's Revised Civil Statutes of Texas; requiring the driver of a vehicle to stop for school busses receiving or discharging school children; making exceptions; prescribing signs for school busses and regulating the use thereof; authorizing the State Department of Education to regulate the design, color, lighting equipment, and operation of school busses; making it unlawful to operate flashing warning signals on school busses except under certain conditions; regulating the intensity of certain illuminating devices upon motor vehicles; making it unlawful to drive vehicles equipped with red lights and flashing lights and making exceptions; providing a saving clause; repealing conflicting laws insofar as

they conflict, and declaring an emergency."

To the Committee on State Highways and Motor Traffic.

By Senators Willis and Parkhouse:

S. B. No. 193, A bill to be entitled "An Act amending Article 1147, Penal Code of Texas, 1925, as amended, by adding a subdivision (10) to include in the classification of aggravated assault or battery certain acts against news reporters or news photographers; providing a severability clause; and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator Moore:

S. B. No. 194, A bill to be entitled "An Act amending the Insurance Code of Texas, Acts 1951, 52nd Legislature, Chapter 491, by adding Article 5.76 requiring insurance companies and associations to organize an agency to be known as 'The Texas Workmen's Compensation Assigned Risk Pool' to provide workmen's compensation insurance for employers who have been rejected or whose insurance has been cancelled by any such insurance company or association; requiring each such company or association authorized to write workmen's compensation insurance and/or insurance under the Longshoremen's and Harbor Workers' Compensation Act in Texas to authorize such agency to act in its behalf; requiring such insurance companies or associations to reinsure the risk of such employers in proportion to their volumes of premiums written; authorizing the agency to adopt rules subject to approval of the Board of Insurance Commissioners of Texas; authorizing such companies and associations to require employers to comply with reasonable rules for the prevention of injuries; amending Article 5.65 of the Insurance Code of Texas and providing for administrative and judicial review; amending Section 2 of Article 8309, Revised Civil Statutes, 1925, and providing that no such company or association shall be required to issue such policies except through the agency; defining terms; exempting such companies or associations who do not write such insurance for the public; authorizing the Board of Insurance Commissioners to regulate policy forms and rates or premium on insurance written through the agency; repealing Section 18, Article 8308, Revised Civil Statutes, 1925,

and all laws inconsistent with this Act; providing that invalidity of parts of this Act shall not invalidate other parts; providing for an effective date of July 1, 1953; and declaring an emergency."

To the Committee on Insurance.

By Senator Moore:

S. B. No. 195, A bill to be entitled "An Act fixing the compensation of certain county attorneys who also perform the duties of District Attorneys of this State, in all counties having a population of not more than 15,700 and not less than 15,695 according to the last preceding Federal Census of 1950, repealing all laws or parts of laws in conflict herewith, to the extent of such conflict only, and declaring an emergency."

To the Committee on Civil Jurisprudence.

By Senator Bracewell:

S. B. No. 196, A bill to be entitled "An Act to amend Section 6 of Chapter 125, Acts of the 45th Legislature, 1937, as amended by Chapter 40, Acts of the 49th Legislature, 1945, as amended by Chapter 348, Acts of the 51st Legislature, 1949, by providing that upon a majority vote of the Board of Trustees the maximum monthly pensions of regular organized full paid Fire Department employees may be increased to One Hundred and Fifty (\$150.00) Dollars per month; and declaring an emergency."

To the Committee on State Affairs.

By Senator Wagon seller:

S. B. No. 197, A bill to be entitled "An Act authorizing the Adjutant General's Department to transfer and convey certain land in Palo Pinto County to the City of Mineral Wells; providing for a reversion in certain cases; providing for a substantial fence; providing for retention of structures and buildings; and declaring an emergency."

To the Committee on Civil Jurisprudence.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 3, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that:

The House refused to concur in Senate amendments to House Bill No. 34 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following Conferees have been appointed on the part of the House: Cobb of Potter, Berry, Fisk, Brooks, Burkett of Kerr.

The House refused to concur in Senate amendment to House Bill No. 58 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following Conferees have been appointed on the part of the House: Murray, Gray, Garrett of Willacy, Kilgore, Briscoe.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 114

Senator Phillips offered the following resolution:

Whereas, Today is the anniversary of the birth of our able and esteemed colleague, Senator William H. Shireman of Corpus Christi; and

Whereas, In his service thus far in this body, he has exemplified his desire and ability to serve his state with untiring energy; and

Whereas, It is the desire of the Senate to recognize the sterling qualities of this distinguished gentleman; now, therefore, be it

Resolved, By the Senate of Texas, that the congratulations and best wishes of the Senate be, and the same are hereby extended the Honorable William H. Shireman on this anniversary of his birth.

PHILLIPS
HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Rogers of Childress, Rogers of Travis, Russell, Ruth-erford, Sadler, Secrest, Shireman, Strauss, Wagon seller, Weinert, Willis.

The resolution was read.

On motion of Senator Kelley, the names of the Lieutenant Governor

and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Concurrent Resolution 21

Senator Kelley offered the following resolution:

S. C. R. No. 21, Designating the week of March 15 to 22, 1953, as "Korean Veterans Appreciation Week."

Whereas, The American Legion, Department of Texas, with its more than 800 Posts, has set aside the week of March 15 to 22 to honor all Texans who have served in the Korean conflict; and

Whereas, This patriotic organization has invited all churches, civic clubs, schools and other interested organizations to join in this movement to pay proper tribute to our Korean Veterans who have served with such great valor and distinction; and

Whereas, The Governor of Texas, by official memorandum, has joined with the American Legion in this movement and has designated the week of March 15 to 22 as "Korean Veterans Appreciation Week" and has urged all Texans to participate in this program; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Legislature join with the Governor of Texas and the American Legion, Department of Texas, in designating the week of March 15 to 22, 1953, as "Korean Veterans Appreciation Week" to honor the returned Texas Veterans of the Korean conflict and that we call upon all Texans to dedicate this week as a week of thanks and appreciation to those Texans who have performed honorable service in our armed forces since the unprovoked attack of the Communist aggressors in Korea on June 26, 1950.

The resolution was read.

On motion of Senator Kelley, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 115

Senator Russell offered the following resolution:

Whereas, We are honored to have with us today, Mr. Lee Simmons of Sherman, a former sheriff of Grayson County; and

Whereas, Mr. Simmons who was a long time General Manager of The Texas Prison System and who now is associated with the Southwestern Power Corporation, is in the Capital City visiting with friends; now, therefore, be it

Resolved, By the Senate of Texas, that Mr. Lee Simmons, who is one of the oldest Texas Exs, being in the Class of '91, be officially welcomed, and extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Russell presented Mr. Simmons and Mr. Purdue to the Members of the Senate.

Senate Concurrent Resolution 22

Senator Hardeman offered the following resolution:

S. C. R. No. 22, Requesting National Park Service to arrange for dedication of the Big Bend National Park.

Whereas, The Big Bend Country is a land rich in romance, legends, scenic beauty and scientific phenomena, lying in the great bend of the silvery Rio Grande, with its intriguing canyons and meandering course and which has furnished life-sustaining waters to all who have transversed Big Bend's board expanses, from the Spanish Conquistadores to modern-day visitors, who behold its magnificent and illimitable distances and gaze, in wonderment, upon its enchanting vistas, picturesque and varied; and

Whereas, To preserve this vast frontier and native habitat of the fabulous flora and fauna of the Southwest, with its unique traditions and colorful scenery, the State of Texas appropriated \$1,500,000 in 1941 for the acquisition of certain lands, which, in turn, were transferred to the United States of America for national park purposes, and for establishing a Big Bend (Gran Comba) International Park in cooperation with our sister Republic of Mexico; and

Whereas, On June 12, 1944, Big Bend became the twenty-seventh National Park of the United States of America; and

Whereas, The grandeur and magnificence of this wildly weird domain, with its ever-changing dances of light and shadows on its verdant valleys and its mauve and purple peaks lifted high into ethereal blue, greeting the

radiance of the morning light at the first blush of dawn and stripping the splendor from the sunset's golden glow, then to be followed by the lengthening shadows of darkening purple fading insensibly into neutral twilight as night gathers her gentle mantle over its awesome stillness, has been made accessible to the citizens of the great Republics of Mexico and of the United States, by the construction of excellent roadways and scenic trails, tourists' accommodations, cafes, commissaries and service stations for their convenience and enjoyment; and

Whereas, This scenic and romantic wonderland has not been, as yet, officially dedicated and it being the desire of the people of the great Southwest, and especially of Texas, that an appropriate dedicatory program be authorized and arranged by the National Park Service of the Department of the Interior, and that the President of the United States be invited to deliver the dedicatory address, and that the President of the Republic of Mexico be invited to attend such dedication; and

Whereas, It is the custom of the Postmaster General to issue special postage stamps from time to time, commemorating and recognizing outstanding historical events in the United States, which stamps often become collector's items, as well as direct attention to the significance of an event or occasion; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the National Park Service of the Department of the Interior of the United States be requested to arrange an appropriate program and designate a convenient date for the official dedication of Big Bend National Park, and that the President of the United States be invited to deliver the dedicatory address, and that the President of the Republic of Mexico be invited to attend such dedication; and be it further

Resolved, That the Postmaster General of the United States be requested to design and issue an appropriate postage stamp depicting the significance of Big Bend National Park and commemorating its establishment; and be it further

Resolved, That copies of this resolution be forwarded, under the seal of the Senate of the State of Texas, to the President of the United States, to

the President of the Republic of Mexico, to the Secretary of State of the United States, to the Postmaster General of the United States, the Secretary of the Interior of the United States, the Director of the National Park Service, to the Honorable Lyndon B. Johnson and the Honorable Price Daniel, United States Senators from Texas, and to each of the Representatives in Congress from Texas and to the Superintendent of Big Bend National Park.

The resolution was read.

On motion of Senator Hardeman, and by unanimous consent, the resolution was considered immediately and was adopted.

Conference Committee on House Bill 58

Senator Kelley called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 58 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Kelley, Shireman, Hardeman, Corbin, and Moore.

House Bill 268 on Second Reading

Senator Russell moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 268 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Phillips
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest

Shireman
Strauss
Wagonseller

Weinert
Willis

Absent—Excused

Fuller

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 268, A bill to be entitled "An Act amending Article 1605, Revised Civil Statutes of Texas, 1925, as amended, by lowering the classification of counties in which the tax assessor-collector may maintain branch offices in cities and towns of one thousand (1,000) or more population from counties having more than seventy-four thousand (74,000) inhabitants to counties having more than seventy thousand (70,000) inhabitants; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 268 on Third Reading

Senator Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 268 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

Senate Resolution 116

Senator Rogers of Childress offered the following resolution:

Whereas, We are honored today to have in the gallery, Mr. Frank P. Ham and Mr. Dale Foreman, both of Kress, Texas, Swisher County; and

Whereas, These men are outstanding citizens of their State and county and leaders in development of the great irrigation belt of the South Plains; now therefore, be it

Resolved, That we officially recognize and welcome Mr. Ham and Mr. Foreman and commend them for their interest in State Government, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

House Bill 129 on Second Reading

Senator Willis moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 129 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hardeman
Ashley	Hazlewood
Bell	Kazen
Bracewell	Kelley
Colson	Lane
Corbin	Latimer

Lock	Russell
Martin	Rutherford
McDonald	Sadler
Moffett	Secrest
Moore	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Rogers	Weinert
of Childress	Willis
Rogers of Travis	

Absent—Excused

Fuller

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 129, A bill to be entitled "An Act repealing all laws and parts of laws, general or special, which provide that, when an incorporated city or town having boundaries which coincide, in whole or in part, with the boundaries of an independent school district annexes to such city or town territory adjoining any such common boundary, the territory so annexed shall automatically become a part of such independent school district; and declaring an emergency."

The bill was read the second time.

Senator Willis offered the following Committee Amendment to the bill:

Amend H. B. No. 129 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Whenever the limits of any incorporated city or town within this State are extended or enlarged to include additional territory, or when any territory is annexed to any incorporated city or town, such extension or enlargement of the limits of such incorporated city or town or such annexation of territory to such incorporated city or town shall in no event have the effect of adding any territory included in such incorporated city or town by such extension, enlargement or annexation to any school district located wholly or partially within any county having a population of 165,000 or more inhabitants according to the last preceding Federal Census, the boundaries of which such school districts coincide, in whole or in part, with any such incorporated city or town, and no such territory so included in or annexed to any such city or town shall automatically become a part of any such school district located wholly or par-

tially within a county having a population of 165,000 or more inhabitants according to the last preceding Federal Census by reason of such inclusion or annexation of any such territory in or to any incorporated city or town; provided, however, that after such territory has been included in or annexed to any such incorporated city or town, any such territory may be detached from the school district in which such territory is situated and may be annexed to any school district having a boundary line contiguous to such territory by the County School Trustees of the county or counties in which all affected school districts are situated in whole or in part acting under the provisions of Chapter 47, Acts of the 41st Legislature, First Called Session, 1929, now codified as Article 2742f of Vernon's Civil Statutes; and provided further, that the term 'school district' as used in this Act shall include any and every type of school district regardless of how created or how operating.

"Section 2. All laws or parts of laws, general or special, in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only.

"Section 3. The fact that many school districts are having territory added against their wishes and against the interests of the scholastics therein creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage and approval, and it is so enacted."

The Committee Amendment was adopted.

Senator Rutherford offered the following amendment to the bill:

Amend H. B. 129, as amended, by inserting after the word "part" and before the word "acting" in line 10 on page 2 of the printed bill a comma and then adding the following: "upon the approval by a majority of the School Trustees of each School District affected"

The amendment was adopted.

On motion of Senator Willis, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

House Bill 129 on Third Reading

Senator Willis moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 129 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent

Weinert

Absent—Excused

Fuller

(President pro tempore in Chair.)

Motion to Place House Bill 100 on Second Reading

Senator Moffett moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 100 be taken up for consideration at this time.

The motion was lost by the following vote: (not receiving four-fifths vote of the Members of the Senate)

Yeas—20

Aikin	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Wagonseller
McDonald	

Nays—8

Ashley	Phillips
Bell	Secrest
Lock	Shireman
Martin	Strauss

Absent

Weinert

Willis

Absent—Excused

Fuller

Senate Resolution 117

Senator Latimer offered the following resolution:

Whereas, We are honored today to have in the gallery some seventy students of Government from Trinity University, San Antonio, Texas, accompanied by Professor Bob Hunter; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Latimer presented the students and Professor Hunter to the Members of the Senate.

House Bill 366 on Second Reading

Senator Strauss moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 366 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 366, A bill to be entitled "An Act amending Section 1 of House Bill No. 788, Chapter 443, of the Acts of the 52nd Legislature, Regular Session, 1951, so as to make it unlawful to use a hoop net and a seine or net over twenty (20) feet in length to take minnows; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 366 on Third Reading

Senator Strauss moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 366 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

House Concurrent Resolution 31 on Second Reading

Senator Lane moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. C. R. No. 31 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Bell
Ashley	Bracewell

Colson	Phillips
Corbin	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagonseller
Moffett	Weinert
Moore	Willis
Parkhouse	

Absent—Excused

Fuller

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. C. R. No. 31, Granting Edward Prudhomme and wife, Irene Prudhomme, to file suit against the State of Texas, the State Highway Department and the County of Panola in the District Court of Panola County, Texas.

The resolution was read second time and was passed to third reading.

House Concurrent Resolution 31 on Third Reading

Senator Lane moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that H. C. R. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Fuller

The President pro tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was adopted.

Senate Resolution 118

Senator Willis offered the following resolution:

Whereas, We are honored today to have in the gallery the American History and Civics Class of Laneri High School of Fort Worth, Texas, accompanied by their sponsors, Mr. and Mrs. John P. Pardee; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

WILLIS
STRAUSS
BELL

The resolution was read and was adopted.

Senator Willis presented the class and the sponsors to the Members of the Senate.

House Bill 171 on Second Reading

Senator Parkhouse moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 171 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lock
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Parkhouse
Hazlewood	Phillips
Kazen	Rogers
Kelley	of Childress
Latimer	Rogers of Travis

Russell	Shireman
Rutherford	Strauss
Sadler	Wagonseller
Secrest	Willis

Nays—3

Hardeman	Martin
Lane	

Absent

Bell	Weinert
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Absent—Excused

Fuller

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 171, A bill to be entitled "An Act to amend Article 1.15, Acts 52nd Legislature, Chapter 491, so as to provide that the Chairman of the Board of Insurance Commissioners shall once each three years, or oftener if he deems it necessary, in person or by persons commissioned by him, visit each company under the laws of this State and examine its financial condition and its ability to meet its liabilities as well as its compliance with the laws of this State, etc.; and declaring an emergency."

The bill was read second time.

Question—Shall H. B. 171 be passed to third reading?

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 132, A bill to be entitled "An Act to amend the subject matter embraced in subsection (d) of Section 5 of the Texas Unemployment Compensation Act as amended (section 3 of H. B. 417, Chapter 148, page 282, Acts of the 51st Legislature, Regular Session), providing that an individual shall be disqualified for unemployment compensation benefits where his unemployment is due to a stoppage of work which exists because of a labor dispute where he is or was last employed or because of a labor dispute at another place, either within or without this State, owned

or operated by the same employing unit which owns or operates the premises at which he is or was last employed, and supplies materials or services necessary to the continued and usual operation of the premises at which he is or was last employed; excepting, however, from such disqualification an unemployed claimant who shows that he is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage there were members employed at the premises (including a vessel) at which the labor dispute occurs any of whom are participating in or financing or directly interested in the dispute; providing for the repeal of all laws or parts of laws in conflict herewith; and declaring an emergency."

S. C. R. No. 20, Congratulating the Trustees of the Robert Driscoll and Julia Driscoll, Jr. Foundation and in memory of Clara Driscoll.

S. B. No. 32, A bill to be entitled "An Act authorizing any incorporated city or town which now has or shall hereafter have outstanding revenue bonds issued for the purpose of acquiring its electric and gas systems, or to refund bonds issued for such purpose, and payable from the net revenues of such systems, to issue additional revenue bonds for the purpose of extending and improving said systems and payable from the net revenues of such systems on a parity with said outstanding bonds, in the manner and to the extent authorized by law and by the ordinances or trust indentures authorizing such acquisition bonds or refunding bonds without holding an election on the issuance thereof; providing for notice of intention to issue such bonds, for an election to be held on their issuance if a petition for election is filed as set forth in this Act, and providing conditions relative to any such election; providing a savings clause; and declaring an emergency."

(With amendments)

S. B. No. 34, A bill to be entitled "An Act to amend Section 7 (c) (7) of the Texas Unemployment Compensation Act, as amended (Art. 5221-5 (c) (7), by eliminating therefrom the requirement that an application for transfer of compensation experience be received within one hundred

eighty (180) days following the date of the acquisition; providing for the repeal of all laws and parts of laws in conflict herewith; providing for the separability of provisions; and declaring an emergency."

(With amendments)

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Adjournment

On motion of Senator Martin, the Senate at 11:45 o'clock a. m. adjourned until 10:30 a. m. tomorrow.

TWENTY-SEVENTH DAY

(Thursday, March 5, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Fuller Rutherford

A quorum was announced present.

The invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, thou hast told us, if we acknowledge thee in all our ways, that thou wilt direct our paths. We pause now to acknowledge thee as having all power both in heaven and on earth, and pray that thou wilt make us willing for thee to direct our paths. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Rutherford was granted leave of absence for today on account of important business on motion of Senator Aikin.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 79, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute as amended, do pass in lieu thereof, and be printed.

WEINERT, Chairman

C. S. H. B. No. 79 was read the first time.

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 144, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 190, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 206, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman